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2012 JUN 11 PM 2:59
CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
SANTA ANA

BY _____

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Attorney for Plaintiffs

U.S. DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

SOUTHERN DIVISION – RONALD REAGAN COURTHOUSE

**DELEGATES TO THE REPUBLICAN
NATIONAL CONVENTION AS
FOLLOWS:**

(See attachment pages)

Plaintiffs,

vs.

**REPUBLICAN NATIONAL
COMMITTEE;
REINCE PRIEBUS, Chairman of the
Republican National Committee;**

(See attachment pages)

Defendants.

CASE NO. **SACV 12 - 00927 DOC (JPRx)**

COMPLAINT FOR:

- 1. DECLARATORY JUDGMENT;**
- AND**
- 2. INJUNCTIVE RELIEF;
Request for Preliminary Injunction;
Request for Permanent Injunction
(Rule 65 FRCP)**

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Case No.: No.

- 1 DELEGATES TO THE REPUBLICAN)
- 2 NATIONAL CONVENTION AS FOLLOWS:)
- 3 Alabama Delegate, Loretta Roughton)
- 4 Alabama Resident, Michael Ramzy)
- 5 Alaska Delegate, Daryl Lanzon)
- 6 Alaska Delegate, Barbara Andersen)
- 7 Arizona Delegate, Virginia Guest)
- 8 Arizona Delegate, Pepper Draper)
- 9 Arizona Delegate, Annette Hardman)
- 10 Arizona Delegate, Stacey Salvaggio)
- 11 Arizona Delegate, Gary Benkendorfer)
- 12 Arizona Delegate, Matt Papke)
- 13 Arizona Delegate, Devin Tate)
- 14 Arizona Delegate, Gabrielle Tate)
- 15 Arizona Delegate, Seraphim Larsen)
- 16 Arizona Delegate, Anna Larsen)
- 17 Arizona Delegate, Cary Lockwood)
- 18 Arizona Delegate, David Petersen)
- 19 Arizona Delegate, Dara Vanesian)
- 20 Arizona Delegate, Karen Johnson)
- 21 Arizona Delegate, Jake Reed)
- 22 Arizona Delegate, Blythe Guvenen)
- 23 Arizona Delegate, Dr. Gary Miller)
- 24 Arizona Delegate, Lee Draper)
- 25 Arizona Delegate, Tom Platt)

- 1 Arizona Delegate, Mary Platt)
- 2 Arizona Delegate, Lorrie Mills-Morse)
- 3 Arizona Delegate, Marko Trickovic)
- 4 Arizona Delegate, Ashley W. Pritchard)
- 5 Arizona Delegate, Pat Petrini)
- 6 Arizona Delegate, Emily Sabo)
- 7 Arizona Delegate, Joey Hardman)
- 8 Arizona Delegate, Renea Rolwes)
- 9 Arizona Delegate, Cyndi Nichols)
- 10 Arizona Delegate, Alex Judd)
- 11 Arizona Delegate, Erica Gardner)
- 12 Arizona Delegate, Jason C. Tillmann)
- 13 Arizona Delegate, Clair Van Steenwyk)
- 14 Arizona Delegate, Jeff Bales,)
- 15 Arizona Delegate, Richard Mooneyham)
- 16 Arizona Delegate, Cassandra Mooneyham)
- 17 Arizona Delegate, William Goode)
- 18 Arizona Delegate, Delmas E. Dawley)
- 19 Arizona Delegate, Joan Lewis)
- 20 Arizona Delegate, Shondean Coochise)
- 21 Arizona Delegate, Crystal Coochise)
- 22 Arizona Delegate, Mervin Fried)
- 23 Arizona Delegate, Al Diccio)
- 24 Arizona Delegate, Craig Urling)
- 25 Arizona Delegate, Ken R. Rineer)

- 1 Arizona Delegate, Michael Eilertsen)
- 2 Arizona Delegate, Harold Shull,)
- 3 Arizona Delegate, Jeanne Manwiller)
- 4 Arizona Delegate, Joanne Diggins)
- 5 Arizona Delegate, Samuel Diggins)
- 6 Arizona Delegate, Paul Diggins)
- 7 Arizona Delegate, Laura Hatton)
- 8 Colorado Delegate, Timothy Branthoover)
- 9 Colorado Delegate, Robert Eskenberry)
- 10 Colorado Delegate, Jobadiah Weeks)
- 11 Colorado Alternate Delegate, Judy Spady)
- 12 Colorado Delegate, Bill Holness)
- 13 Iowa Delegate, Edward True)
- 14 Illinois Delegate, Matthew Blick)
- 15 Illinois Delegate, Brien Poutry)
- 16 Illinois Delegate, James Benzik)
- 17 Florida Delegate, Gerri Weits)
- 18 Georgia Delegate, Sahar Hekmati)
- 19 Georgia Delegate, Claudio Avendano)
- 20 Georgia Delegate, Amanda Parsons)
- 21 Georgia Delegate, Barbara Dunne)
- 22 Georgia Delegate, Donald Woodward)
- 23 Georgia Delegate, Shirley Woodward)
- 24 Georgia Delegate, Nancy Holtzclaw)
- 25 Georgia Delegate, Bob Holzclaw)

- 1 Georgia Delegate, Cheryl Dalton)
- 2 Georgia Delegate, Jimmy Dalton)
- 3 Georgia Delegate, Geralyn Daniel)
- 4 Georgia Delegate, Sonja Casey)
- 5 Georgia Delegate, David James)
- 6 Georgia Delegate, Gerel Barlett)
- 7 Georgia Delegate, Aaron Guyton)
- 8 Georgia Delegate, Pasty Cuson)
- 9 Georgia Delegate, Lynn Warburton)
- 10 Georgia Delegate, Randy Beacham)
- 11 Georgia Delegate, Charles Flanagan)
- 12 Georgia Delegate, Nancy Fabbri)
- 13 Georgia Delegate, Louie Fabbir)
- 14 Georgia Delegate, Larry S. O' Bryant)
- 15 Georgia Delegate, Mark Alarcon)
- 16 Georgia Delegate, Kalynn Alarcon)
- 17 Georgia Delegate, Ted Metz)
- 18 Georgia Delegate, Benjamin Mihalski)
- 19 Georgia Delegate, Christopher Lamey)
- 20 Georgia Delegate, Valorie McLain)
- 21 Georgia Delegate, Marilyn Watts)
- 22 Georgia Delegate, Lane Watts)
- 23 Georgia Delegate, Teresa B. Swensson)
- 24 Georgia Delegate, Carl A. Swensson)
- 25 Georgia Delegate, Amanda M. Eskew)

- 1 Georgia Delegate, Richard C. Eskew)
- 2 Louisiana Delegate, Scott Chiavetta)
- 3 Massachusetts Delegate, Renato D'Amico)
- 4 Massachusetts Delegate, John Aaron MeKeon)
- 5 Michigan Delegate, Michael Chaffee)
- 6 Michigan Delegate, Tammy Cech)
- 7 Michigan Delegate, William Bevan)
- 8 Missouri Delegate, Lynn Kempen)
- 9 Missouri Delegate, Matthew Hay)
- 10 South Carolina Delegate, John Perna)
- 11 New Jersey Delegate, Nathan Mooney)
- 12 Nevada Delegate, Jacqulyn Smith)
- 13 Nevada Delegate, F. Marie Hardenbrook)
- 14 Nevada Delegate, Kristene Honzik)
- 15 Texas Delegate, Matt Sistruck)
- 16 Alabama Resident, Jason Williams)
- 17 Maine Delegate, Michael Ferreira)
- 18 Maine Delegate, Michael McDonald)
- 19 Georgia Delegate, Ying Li)
- 20 Arizona Delegate, Cody Whitaker)
- 21 Arizona Delegate, Laura Hatton)
- 22 California Delegate, David Duffina)
- 23 California Delegate, Chris Saraceni)
- 24 California Delegate, John Joseph Vargo)
- 25)

1 Republican Committee)
2 Republican Party of Connecticut)
3 Jerry Labriola, Jr, as Chairman of the)
4 Republican Party of Connecticut)
5 Delaware State Republican Party)
6 John Sigler, as Chairman of the Delaware State)
7 Republican Party)
8 District of Columbia Republican Party)
9 Bob Kabel, as Chairman of the District of)
10 Columbia Republican Party)
11 Republican Party of Florida)
12 Lenny Curry, as Chairman of the Republican)
13 Party of Florida)
14 Georgia Republican Party)
15 Sue P. Everhart, as Chairwoman of the)
16 Georgia Republican Party)
17 Republican Party of Guam)
18 Mike Benito, as Chairman of the Republican)
19 Party of Guam)
20 Hawaii Republican Party)
21 David Chang, as Chairman of the Hawaii)
22 Republican Party)
23 Republican Party of Idaho)
24 Norm Semanko, as Chairman of the)
25 Republican Party of Idaho)

1 Illinois Republican Party)
2 Pat Brady, as Chairman of the Illinois)
3 Republican Party)
4 Indiana Republican Party)
5 Eric Holcomb, as Chairman of the Indiana)
6 Republican Party)
7 Republican Party of Iowa)
8 Matt Strawm/AJ Spiker, as Chairman of the)
9 Republican Party of Iowa)
10 Republican Party of Kansas)
11 Amanda Adkins, as Chairman of the)
12 Republican Party of Kansas)
13 Republican Party of Kentucky)
14 Steve Robertson, as Chairman of the)
15 Republican Party of Kentucky)
16 Republican Party of Louisiana)
17 Roger Villere, as Chairman of the Republican)
18 Party of Louisiana)
19 Maine Republican Party)
20 Charlie Webster, as Chairman of the Maine)
21 Republican Party)
22 Republican Party of Maryland)
23 Alex X. Mooney, as Chairman of the)
24 Republican Party of Maryland)
25 Massachusetts Republican Party)

1 Robert Maginn, as Chairman of the)
2 Massachusetts Republican Party)
3 Michigan Republican Party)
4 Robert Schostak, as Chairman of the Michigan)
5 Republican Party)
6 Republican Party of Minnesota)
7 Pat Shortridge, as Chairman of the Republican)
8 Party of Minnesota)
9 Mississippi Republican Party)
10 Joe Nosef, as Chairman of the Mississippi)
11 Republican Party)
12 Missouri Republican Party)
13 David Cole, as Chairman of the Missouri)
14 Republican Party)
15 Montana Republican Party)
16 Wes Deschamps, as Chairman of the Montana)
17 Republican Party)
18 Nebraska Republican Party)
19 Mark Fahleson , as Chairman of the Nebraska)
20 Republican Party)
21 Republican Party of New Hampshire)
22 Nevada Republican Party)
23 Michael McDonald, as Chairman of the)
24 Nevada Republican Party)
25 Republican Party of New Hampshire)

1 Wayne MacDonald, as Chairman of the)
2 Republican Party of New Hampshire)
3 New Jersey Republican Party)
4 Mayor Samuel Raia, as Chairman of the New)
5 Jersey Republican Party)
6 Republican Party of New Mexico)
7 Monty Newman, as Chairman of the)
8 Republican Party of New Mexico)
9 Republican Party of New York State)
10 Edward F. Cox, as Chairman of the Republican)
11 Party of New York State)
12 North Carolina Republican Party)
13 Robin Hayes, as Chairman of the North)
14 Carolina Republican Party)
15 North Dakota Republican Party)
16 Stan Stein, as Chairman of the North Dakota)
17 Republican Party)
18 Republican Party of the Northern Marianas)
19 Islands)
20 Gov. Benigno Fitial, as Chairman of the)
21 Republican Party of the Northern Marianas)
22 Islands)
23 Ohio Republican Party)
24 Robert T. Bennett, as Chairman of the Ohio)
25 Republican Party)

1 Oklahoma Republican Party)
2 Matt Pinnell, as Chairman of the Oklahoma)
3 Republican Party)
4 Oregon Republican Party)
5 Allen Alley, as Chairman of the Oregon)
6 Republican Party)
7 Republican Party of Pennsylvania)
8 Rob Gleason, as Chairman of the Republican)
9 Party of Pennsylvania)
10 Republican Party of Puerto Rico)
11 Hon. Carlos Mendez, as Chairman of the)
12 Republican Party of Puerto Rico)
13 Rhode Island Republican Party)
14 Mark Zaccaria, as Chairman of the Rhode)
15 Island Republican Party)
16 South Carolina Republican Party)
17 Chad Connelly, as Chairman of the South)
18 Carolina Republican Party)
19 South Dakota Republican Party)
20 Tim Rave, as Chairman of the South Dakota)
21 Republican Party)
22 Tennessee Republican Party)
23 Chris Devaney, as Chairman of the Tennessee)
24 Republican Party)
25 Texas Republican Party)

1 Steve Munsteri, as Chairman of the Texas)
2 Republican Party)
3 Utah Republican Party)
4 Thomas Wright, as Chairman of the Utah)
5 Republican Party)
6 Vermont Republican Party)
7 Jack Lindley, as Chairman of the Vermont)
8 Republican Party)
9 Republican Party of Virginia)
10 Hon. Pat Mullins, as Chairman of the)
11 Republican Party of Virginia)
12 Washington State Republican Party)
13 Kirby Wilbur as Chairman of the Washington)
14 State Republican Party)
15 Republican Party of West Virginia)
16 Mike Stuart, as Chairman of the Republican)
17 Party of West Virginia)
18 Republican Party of Wisconsin)
19 Brad Courtney, as Chairman of the Republican)
20 Party of Wisconsin)
21 Republican Party of Wyoming)
22 Tammy Hooper, as Chairman of the)
23 Republican Party of Wyoming)
24 And Does 1 Through 10 inclusive.)
25 Defendants.)

1 unbound to vote their conscience free from any intimidation from any person or
2 entity.

3 Plaintiffs come to Federal Court to seek the guidance of the Court regarding
4 the Federal Question as to whether Plaintiffs are free to vote their conscience on the
5 first and all ballots at the Federal Election known as the Republican National
6 Convention or whether Plaintiffs are bound to vote for a particular candidate as
7 instructed by Defendants' State Party Bylaws, or State Laws, or the preference of
8 political operatives seeking affidavits of loyalty to a particular candidate under
9 penalty of perjury.

10 Plaintiffs do not seek any reimbursement for Court Fees and Plaintiffs do not
11 seek any award of Attorney Fees. Plaintiffs seek only the guidance of the court and
12 Injunction Relief as set forth herein.

13 14 THE FEDERAL LAW

15 The Federal Laws are as follows:

16 11 CFR 100.2(e): Defining a national convention as a "Federal
17 Election" for the purpose of electing a candidate for federal office.

18 Which states:

19
20 "(e) Caucus or Convention. A caucus or convention of a
21 political party is an election if the caucus or convention has the
22 authority to select a nominee for federal office on behalf of that
23 party."

24
25 and

26
27 42 USC 1971 - Sec. 1971. Voting rights. Which states:
28

1 “No person, whether acting under color of law or otherwise,
2 shall intimidate, threaten, coerce, or attempt to intimidate,
3 threaten, or coerce any other person for the purpose of
4 interfering with the right of such person to vote or to vote as he
5 may choose, or of causing such other person to vote for, or not
6 to vote for, any candidate for the office of President.”
7

8 Notwithstanding the clarity of the above Federal Laws the Republican
9 National Committee and its Chairman, Reince Priebus, have been violating Rule 11
10 of the Rules of the Republican Party which in effect states that the RNC may not aid
11 any Candidate until the Candidate is the nominee of the Party. Notwithstanding, the
12 RNC and its Chairman, Defendant Reince Priebus, have, for at least the past six
13 months, combined with a particular Candidate with all of the aid the RNC can
14 possibly, but improperly give in violation of Rule 11 to obstruct, intimidate, and
15 harass Delegates from voting their conscience. These Defendants have intentionally
16 violated Federal Laws and Supreme Court Decisions by seeking to bind Delegates to
17 the Candidate of Defendants’ choice and these Defendants have refused to follow
18 Federal Law. [Attached hereto as Exhibit B is a true and correct copy of the
19 Republican Party Rules.]

20 RNC Rule 38, the Unit Rule, provides that Delegates may not be bound to a
21 particular Candidate separate and distinct from the US Statutes and Supreme Court
22 Decisions.

23 The Republican National Committee (hereafter RNC) and its Chairman have
24 been aiding the Governor Romney Campaign for at least six months up to and
25 including the present time notwithstanding that no candidate has won the
26 nomination. Governor Romney does not have 1144 Delegates, the minimum
27 number of Delegates required to win the nomination and, no candidate can be
28

1 assured that they are the nominee until the Delegates vote because the Delegates
2 have a statutory and Constitutional Right to vote their conscience.

3 Plaintiffs allege that in almost every state in the United States Defendants
4 engaged in a scheme to intimidate and harass Delegates who were supporting a
5 Candidate that Defendants did not approve of. This harassment included the use of
6 violence, intimidating demands that Delegates sign affidavits under penalty of
7 perjury with the threat of criminal prosecution for perjury as well as financial
8 penalties and fines if the Delegate fails to vote as instructed by Defendants rather
9 than vote the Delegate's conscience as mandated by the US Statutes and US Supreme
10 Court Decisions cited.

11 Defendants have further harassed and intimidated Plaintiffs with untimely
12 Rule changes designed to deny a quorum or to manipulate Delegates supporting a
13 particular Candidate to be deprived of a fair election as a Delegate.

14 Defendants have used threats of violence including dressing security type
15 people in dark clothing searching out supporters of a Candidate Defendants do not
16 approve of to harass and intimidate said Delegates from voting their conscience.

17 Defendants have unlawfully used State Bylaws and in some cases State Laws
18 to harass and intimidate Delegates from voting their conscience.

19 Defendants have refused to Certify Delegates who were properly elected to
20 support a certain Candidate that Defendants did not approve of.

21 Defendants have certified unlawful slates of Delegates that were not elected
22 in accordance with the US Statues and US Supreme Court Decisions cited, nor in
23 accordance with the proper Bylaws of Defendants'.

24 Defendants have altered the voting ballot results to fraudulently reflect an
25 outcome that is inconsistent with the actual voting ballot results for the purpose of
26 certifying a fraudulently selected slate of Delegates to support the Candidate of
27 Defendants choice rather than the Delegates properly elected.
28

1 For the reasons stated herein Plaintiffs will suffer irreparable harm if the
2 evidence of the wrongful conduct of the Defendants related to the above voting and
3 Delegate selection issues are not preserved by the Court. Therefore, Plaintiffs
4 request a Preliminary Injunction ordering Defendants to preserve all ballots cast at
5 their State Conventions / Caucuses including all voting machines, the computer
6 programs for all voting machines, any and all records related to the counting of the
7 ballots, and any and all records related to any Rules, Rule changes made within 30
8 days of the Convention / Caucuses, including the day of the Convention / Caucus.
9
10

11 The fact that the Republican Party is a private organization becomes legal
12 irrelevant when the party convenes a National Convention for the purpose of
13 selecting a candidate for Federal Office, in this case, President and Vice President of
14 the United States. For all purposes the convention is an “election” subject to
15 Supreme Court case decisions and Federal Statutory Law.

16 The Convention of a national political party is a “Federal Election” subject to
17 the laws established by the United States Supreme Court and the Legislative Branch
18 of the Federal Government when signed into law by the President of the United
19 States.

20 U.S. Supreme Court Decisions and Federal Statutory Law preempt any
21 contradictory Party Rule or State Law that attempts to deny a Delegate the right to
22 vote in accordance with their own conscience free from any attempt to bind the
23 Delegate to vote for a particular candidate.
24

25 42 USC 1971(e) the word “vote” means all action necessary to make
26 a vote effective.
27
28

1 The United State Supreme Court held in *Morse v. Republican Party of Va.*
2 517 U.S. 186 (1985) that an interference in the right of a Delegate to vote in
3 accordance with the Delegate's own conscience undermines the effectiveness of the
4 vote. Several Supreme Court cases similarly hold.

5
6 Section 108.7 Effect on State Law (2 U.S.C. 453).

7
8 (a) The provisions of the Federal Election Campaign Act of
9 1971, as amended, and rules and regulations issued thereunder,
10 supersede and preempt any provision of State law with respect
11 to election to Federal office.

12
13 (b) Federal law supersedes State law concerning the

14
15 (1) Organization and registration of political
16 committees supporting Federal candidates;

17
18 (2) Disclosure of receipts and expenditures by
19 Federal candidates and political committees; and

20
21 (3) Limitation on contributions and expenditures
22 regarding Federal candidates and political
23 committees.

24
25 (c) The Act does not supersede State laws which provide for
26 the

1 (1) Manner of qualifying as a candidate or
2 political party organization;

3
4 (2) Dates and places of elections;

5
6 (3) Voter registration;

7
8 (4) Prohibition of false registration, voting fraud,
9 theft of ballots, and similar offenses;

10
11 (5) Candidate's personal financial disclosure; or

12
13 (6) Application of State law to the funds used for
14 the purchase or construction of a State or local
15 party office building to the extent described in
16 11 CFR 300.35.

17
18 [45 FR 15117, Mar. 7, 1980, as amended at 67 FR 49119, July 29,
19 2002]

20
21 Section 100.2 Election (2 U.S.C. 431(1)).

22
23 (a) Election means the process by which individuals, whether
24 opposed or unopposed, seek nomination for election, or
25 election, to Federal office. The specific types of elections, as
26 set forth at 11 CFR 100.2 (b), (c), (d), (e) and (f) are included
27 in this definition.
28

1 (b) General election. A general election is an election which
2 meets either of the following conditions:
3

4 (1) An election held in even numbered years on
5 the Tuesday following the first Monday in
6 November is a general election.
7

8 (2) An election which is held to fill a vacancy in a
9 Federal office (i.e., a special election) and which is
10 intended to result in the final selection of a single
11 individual to the office at stake is a general
12 election. See 11 CFR 100.2(f).
13

14 (c) Primary election. A primary election is an election which
15 meets one of the following conditions:
16

17 (1) An election which is held prior to a general
18 election, as a direct result of which candidates are
19 nominated, in accordance with applicable State
20 law, for election to Federal office in a subsequent
21 election is a primary election.
22

23 (2) An election which is held for the expression of
24 a preference for the nomination of persons for
25 election to the office of President of the United
26 States is a primary election.
27
28

1 (3) An election which is held to elect delegates to
2 a national nominating convention is a primary
3 election.

4
5 (4) With respect to individuals seeking federal
6 office as independent candidates, or without
7 nomination by a major party (as defined in
8 26 U.S.C. 9002(6)), the primary election is
9 considered to occur on one of the following dates,
10 at the choice of the candidate:

11
12 (i) The day prescribed by applicable State
13 law as the last day to qualify for a position
14 on the general election ballot may be
15 designated as the primary election for such
16 candidate.

17
18 (ii) The date of the last major party primary
19 election, caucus, or convention in that State
20 may be designated as the primary election
21 for such candidate.

22
23 (iii) In the case of non-major parties, the
24 date of the nomination by that party may be
25 designated as the primary election for such
26 candidate.

1 (5) With respect to any major party candidate (as
2 defined at 26 U.S.C. 9002(6)) who is unopposed
3 for nomination within his or her own party, and
4 who is certified to appear as that party's nominee
5 in the general election for the office sought, the
6 primary election is considered to have occurred on
7 the date on which the primary election was held by
8 the candidate's party in that State.
9

10 Code of Federal Regulations 38:
11

12 (d) Runoff election. Runoff election means the election which
13 meets either of the following conditions:
14

15 (1) The election held after a primary election, and
16 prescribed by applicable State law as the means
17 for deciding which candidate(s) should be certified
18 as a nominee for the Federal office sought, is a
19 runoff election.
20

21 (2) The election held after a general election and
22 prescribed by applicable State law as the means
23 for deciding which candidate should be certified as
24 an officeholder elect, is a runoff election.
25

26 (e) Caucus or Convention. A caucus or convention of a
27 political party is an election if the caucus or convention has the
28

1 authority to select a nominee for federal office on behalf of that
2 party.

3
4 (f) Special election. Special election means an election which is
5 held to fill a vacancy in a Federal office. A special election may
6 be a primary, general, or runoff election, as defined at 11 CFR
7 100.2 (b), (c) and (d).
8

9 In a Memorandum prepared by legal counsel for the RNC, legal counsel
10 agrees with the legal arguments that Delegates are free to vote their conscience on all
11 ballots. [A true and correct copy is attached hereto as Exhibit A.]

12 This Federal Lawsuit is made necessary because the RNC and its Chairman
13 are violating these laws and are promoting and tolerating efforts to bind Delegates to
14 a particular candidate instead of protecting Delegates from the intimidation
15 Delegates are being subjected to in States throughout the Nation. Indeed, the RNC
16 and its Chairman rely upon the violation of these laws to intimidate Delegates in
17 support of the RNC's position that Governor Romney is the nominee of the Party
18 when Governor Romney does not have the minimum number of delegates and no
19 vote has yet taken place and the Convention has not begun.

20 Plaintiffs are Delegates elected to nominate The Republican Nominee for
21 President of The United States at a Convention to be held commencing the week of
22 August 27, 2012, in Tampa, Florida.

23 Although U. S. Supreme Court Cases hold that a Convention for this purpose
24 is subject to Federal Law, The Republican National Committee and State Republican
25 Parties have intimidated all Delegates to become bound to one candidate thereby
26 denying all Delegates their Constitutional and Statutory Right to vote their
27 conscience.
28

1 Many Delegates are required to sign Affidavits under Penalty of Perjury
2 declaring the Delegate agrees to be bound to one candidate. Fines and criminal
3 prosecutions are threatened against Delegates if they fail to vote as told rather than
4 vote their conscience.

5 Delegates who refuse to sign the Affidavit are told they may not serve as
6 Delegates, although they were duly elected.

7 Certain Delegates have already been denied their credentials because they
8 will not sign such an affidavit.

9 Plaintiffs seek a remedy for a Court Order compelling The RNC and Each
10 State Party Defendant To Inform In Writing by serving a copy of the Order the Court
11 makes Notifying every Delegate that in accordance with United States Supreme
12 Court Decisions and Federal Statutes all Delegates at all times are free to vote their
13 conscience for any candidate they choose by their own conscience on all ballots.

14 Plaintiffs further seek an Order that any Delegate who has been denied their
15 seat on their State Delegation for refusing to submit to surrender their free will to
16 vote their conscience be restored to their Delegation and certified.

17 Plaintiffs further seek an Order Prohibiting the RNC and Each State Party
18 Defendant from attempting to intimidate with threats of fines or criminal prosecution
19 of any delegate who chooses to vote their conscience on the First or any subsequent
20 ballot pursuant to Federal Civil Procedures Rule 65.

21 Plaintiffs allege there has been a systematic campaign of election fraud at
22 State Conventions including programing a voting machine in Arizona to count Ron
23 Paul votes as Governor Romney votes; ballot stuffing, meaning the same person
24 casting several ballots in several states; altering and falsifying ballot totals for each
25 candidate; the use of violence at several State Conventions; altering procedural rules
26 to prevent votes being cast for Ron Paul.

27 For the reasons stated in the previous paragraph, Plaintiffs seek an order of
28 the Court that each named Defendant maintain all ballots cast, all documents

1 reflecting the counting of votes and vote totals, all voting machines and their
2 computer programs until further order of the Court to protect the sanctity of the
3 evidence of election fraud that has taken place in several of the States.

4 Plaintiffs do not seek any award of attorney fees or court costs or monetary
5 relief of any kind. Given that Plaintiffs only ask that the Rule of Law set forth in
6 United States Supreme Court Cases and Federal Statutes be ordered to be complied
7 with and that all of the ballots and voting machines as set forth in the previous
8 paragraphs be preserved until further order of the Court. Hence, Defendants have no
9 financial issues to defend and no meritorious legal issues that Defendants could
10 submit to this Court that are contra to the legal Points and Authorities presented.

11 Plaintiffs are suffering irreparable harm because their right to vote in
12 accordance with their conscience on the first and all ballots of the Convention is
13 being impeded by threats of monetary fines, criminal sanctions, and / or removal
14 from their status as a Certified Delegate to participate in the Convention unless they
15 submit to State Party Rules, State Laws, or the demands of political operatives
16 requiring signatures on affidavits promising to be bound to a particular candidate
17 under penalty of perjury, all in violation of U.S. Federal Statutes and Supreme Court
18 Rulings.

19
20 Without the Orders requested from this Court, Plaintiffs will be denied their
21 right to vote in accordance with their conscience on the first and all ballots of the
22 Federal Election that is the Convention of the Republican Party set to commence
23 during the week of August 27, 2012, in Tampa, Florida.

24
25 PRAYER


26 WHEREFORE, Plaintiffs pray, and respectfully request that the Court enter
27 judgment:
28

1. For Declaratory Judgment that pursuant to the US Statutes cited and US Supreme Court Decisions a Court Order issue declaring that all Delegates to the Federal Election also known as the Republican National Convention in August 2012 be unbound from any Candidate and free to vote their conscience on the first and all ballots.
2. For an Order that all Defendants serve on every Delegate within their jurisdiction a hard copy of the Federal Court Order not later than a date set by the Court with proof of compliance to be filed with the Court.
3. For a Preliminary Injunction enjoining all Defendants to preserve all ballots cast at their State Conventions / Caucuses including all voting machines, the computer programs for all voting machines, any and all records related to the counting of the ballots, and any and all records related to any Rules, Rule changes made within 30 days of the Convention / Caucuses, including the day of the Convention / Caucus.
4. For a Permanent Injunction enjoining all Defendants to preserve all ballots cast at their State Conventions / Caucuses including all voting machines, the computer programs for all voting machines, any and all records related to the counting of the ballots, and any and all records related to any Rules, Rule changes made within 30 days of the Convention / Caucuses, including the day of the Convention / Caucus.
5. For any Order the Court deems just to carry out the intent of the Court including, but not limited to, ordering a hand recount of ballots, or where the sanctity of the ballots are untrustworthy, ordering a new Convention for the Delegates to re-vote with knowledge that all

1 Delegates shall be unbound and free to vote their conscience at the
2 Federal Election known as the Republican National Convention in
3 August 2012.
4

- 5 6. Plaintiffs do not request any reimbursement for costs of this Federal
6 Case nor any reimbursement for legal fees.
7

8 DATED: June 11, 2012

9 
10 _____
11 RICHARD C. GILBERT, ESQ.
12 State Bar No. 85912
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PLAINTIFFS'

EXHIBIT - A

RNC Associate Counsel's Opinion on Rule 38 of the RNC Rules barring the "unit rule"

MEMORANDUM

SUBJECT: RULE NO 38 - UNIT RULE

FROM: RNC COUNSEL

TO: NANCY LORD

DATE: AUG 20, 2008

This Memorandum is based on your request to examine the Republican Party Rules history relating to the so-called "Unit Rule" provision currently found at Rule 38 which states, "No delegate or alternate delegate shall be bound by any attempt of any state or congressional district to impose the unit rule".

This language was initially adopted at the 1964 Republican National Convention, paraphrasing the words of the proponent of the amendment, in order to codify in party rules the actual practice followed in past conventions, namely to allow delegates to vote as they chose even if state law bound them to vote for a specific candidate.

This amendment which modified then Rule 18(a) was initiated by the RNC Rules Committee and adopted by the full RNC at its pre-convention meeting. That '64 language stated, "No Delegate or Alternate shall be bound by any attempt of any State or Congressional District, the District of Columbia, Puerto Rico or the Virgin Islands to impose the unit rule." Based upon a review of the transcripts of the RNC debate on the "Unit Rule", proponents of the '64 amendment argued that their amendment to Rule 18 merely reflected current practice and adopting this Rules change would simply memorialize what was the historical Convention practice, not create a new policy.

During the debate on the "Unit Rule" amendment, there was some concern raised that the new language would be interpreted by some to prohibit the individual states from adopting rules that would bind or allocate delegates to specific candidates. The proponents, however, gave assurances that it was not their intention to effect any "legal or "moral" obligation of the delegates.

Based upon the concern raised that this provision would be erroneously read to prohibit states to bind or allocate delegates a concerted effort was made to defeat the amendment. That effort to reject the addition of the new "Unit Rule" language based on that concern, failed, 59 to 41.

In 1976 the no "Unit Rule" language was modified by the RNC Rules Committee, effectively requiring the 1976 Convention to record delegate votes based on the results of "any binding Presidential Primary or direct election of delegates bound or pledged pursuant to state law." The Convention Rules Committee and the Convention itself accepted this RNC modification without any debate. The additional Rule 18(a) language applicable to the 1976 Republican Convention read as follows, "...however, that in any event, the vote of each state for the nomination for President shall be announced and recorded (or in the absence of an announcement shall be

recorded) in accordance with the results of any binding Presidential Primary or direct election of delegates bound or pledged pursuant to state law. No delegate or alternate shall be bound by any attempt of any state or Congressional district to impose the unit rule.”

The '76 language was deleted in 1980 effectively reverting back to the 1964 language and the current language regarding the “Unit Rule” now found in Rule 38 is consistent with the 1980 language.

Dear Blake and Sean,

Thank you so much for the memorandum [above] regarding the history of the Rule 38.

After studying it, I still have unanswered questions.

From the memo, I am clear that:

1. Rule 38 was not intended "to prohibit the individual states from adopting rules that would bind or allocate delegates to specific candidates".

What I need clarified is the following:

1. Do the RNC Rules require a state's delegation to follow its state laws or state party rules in the matter of binding of their national delegates to vote for a particular candidate? (I believe the answer is no; the RNC Rules are silent on this issue. My understanding is that any "legal" or "moral" obligation of the delegates, under either state law or state party rules, is simply that -- a state party matter. The RNC will not get involved in any such issue unless it deems that there is a violation of Rule 38 - an attempt to invoke the "Unit Rule" - during the time of the national convention.)

2. Do the RNC Rules prohibit a state party from changing its rules regarding the binding of their national delegates after the 2nd Tuesday in the September the year before the convention but before the national convention begins? (I believe the answer is no - the RNC Rules are again silent on this issue.)

3. Do the RNC Rules allow a national delegate to cast their vote for anyone they choose at the national convention, regardless of any vote-binding rules in their state or regardless of whether or not that "candidate" has been officially nominated under the RNC "majority of delegates from five states" rule? (I believe the answer is yes. I cite the actual rolling roll call of the states vote in 2000 as an example. In several states, even though George W. Bush had for many months been the presumptive nominee, several states, including Arkansas (19 for Bush, 5 for Alan Keyes) in the 2nd session on Monday evening, Massachusetts (35 for Bush, 1 for McCain, and 1 abstention) in the 3rd session on Tuesday evening,

4. Is the process of the "rolling roll call of the states" the process by which it is determined which candidates have met the RNC "majority of delegates from five states" rule in order to have their name officially placed in nomination? In other words, or as a corollary, do only those candidates who receive a "majority of delegates from five states" votes during the "rolling roll call of the states" become an official nominee, while any candidates receiving votes who did not receive the required majority of five states' votes simply fall to the floor, having not met the threshold?

Is there any way that you can clarify the answers to these questions in writing before tomorrow morning?

Nancy Lord
Utah Republican Republican National Committeewoman

From: Jennifer Sheehan - Legal
To: Nancy Lord
Cc: Sean Cairncross - Legal ; Blake G. Hall
Sent: Friday, August 22, 2008
Subject: RE: The Unit Rule

Mrs. Lord:

I am going to attempt to clearly answer your questions as listed below.

1. You are correct - the answer is no. The national convention allows delegates to vote for the individual of their choice, regardless of whether the person's name is officially placed into nomination or not.
2. National Party Rule No. 15(e) does prohibit State Parties from changing their delegate selection and allocation process that the State Party had to submit to the RNC no later than Sept. 4, 2007. However, the time frame for submitting a challenge to the national convention delegation based upon these Rules has expired, as any delegate contests had to be filed by August 2, 2008.
3. Yes - see #1 above.
4. Your question is mixing two separate issues. The first issue involves the nominating process, which requires the majority of delegates from five states to put a candidate's name into the official nominating process. The delegates from these five states must sign a nominating form

that is then submitted to the Secretary of the Republican National Convention. After the Secretary receives these forms, the candidates are announced who have been officially placed into the nominating process and are therefore eligible to accumulate votes from the national convention delegates.

The Rules require that a roll call be taken from each state who announces the number of votes that its delegates cast for any eligible candidates, as well as for any person someone would like to cast a vote for in the roll call. You are correct that a person does not have to be officially nominated in order to receive votes, however, this vote is essentially pointless as it will not count towards the official tally.

Therefore to clarify, a candidate must receive the support of the majority of five state delegations in order to be officially placed into the nomination. Only candidates that have been officially nominated can accumulate votes that will count towards the majority of delegates necessary to officially nominate the Republican nominee for President. The Republican nominee for President must receive at least 1191 votes from the national convention delegation in order to receive the official nomination.

Please let me know if you have additional questions or need further clarifications related to this process.

Sincerely,

Jennifer Sheehan
Associate Counsel
Republican National Committee

PLAINTIFFS'

EXHIBIT - B

THE RULES OF THE REPUBLICAN PARTY

As adopted
at the 2008 Republican
National Convention
August 1, 2008

Approved by the
Republican Party
National Committee

THE RULES OF THE REPUBLICAN PARTY

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PREAMBLE

BE IT RESOLVED, That the Republican Party is the party of the open door. Ours is the party of liberty, the party of equality, of opportunity for all, and favoritism for none.

It is the intent and purpose of these rules to encourage and allow the broadest possible participation of all voters in Republican Party activities at all levels and to assure that the Republican Party is open and accessible to all Americans.

BE IT FURTHER RESOLVED, That the following be and hereby are adopted as *The Rules of the Republican Party*, composed of the rules for the election and government of the Republican National Committee until the next national convention, the rules under which delegates and alternate delegates shall be allotted to the respective states in the next national convention, and the rules under which such delegates and alternate delegates shall be elected and under which contests shall be considered, and the rules of business of this national convention.

**THE REPUBLICAN
NATIONAL COMMITTEE**

RULE NO. 1

Organization of the Republican National Committee

(a) The Republican National Committee shall have the general management of the Republican Party, based upon the rules adopted by the Republican National Convention. The members of the Republican National Committee shall consist of one (1) national committeeman and one (1) national committeewoman from, and the chairman of the state Republican Party of, each state.

(b) For the purposes of this rule and all other rules, "state" or "states" shall be taken to include American Samoa, the District of Columbia, Guam, Northern Mariana Islands, Puerto Rico, and the Virgin Islands, except in Rule No. 13 and unless the context in which the word "state" or "states" is used clearly makes such inclusion inappropriate.

RULE NO. 2

**Method of Election for National Committeeman and
National Committeewoman**

(a) Where the rules adopted by a state Republican Party provide a method of election of the national committeeman and the national committeewoman, they shall be elected pursuant to such method.

(b) Where the rules adopted by a state Republican Party do not provide a method of election of the national committeeman and the national committeewoman, and where state laws do provide such a method of election, they shall be elected pursuant to such method provided by state laws.

(c) Where neither the rules adopted by a state Republican Party nor state laws provide a method of election of the national committeeman and the national committeewoman, the national convention delegation from such state shall elect them.

(d) At each national convention, the roll shall be called and the delegates from each state shall report, through the chairman of the delegation, the names of the elected national committee members whose election

shall be ratified by the national convention if otherwise in accordance with these rules.

RULE NO. 3

Term of Office for National Committee Members

(a) National committeemen and national committeewomen shall serve from the adjournment of the national convention until the adjournment of the following national convention, and until their successors shall have been elected and ratified. For seniority purposes, newly elected committee persons shall be ratified in order of the date of their individual election.

(b) The duly elected and acting chairman of each state Republican Party shall be a member of the Republican National Committee during his or her term in office.

RULE NO. 4

Vacancies of Members and Officers

(a) Election of members to fill vacancies in the Republican National Committee shall be ratified by the Republican National Committee after their election by the state Republican Party in and for the state in which the vacancy occurs.

(b) The Republican National Committee shall have the power to declare vacant the seat of any member who refuses to support the Republican nominee for President of the United States or Vice President of the United States.

(c) In the event of the death, resignation, disqualification, or disability of any officer of the Republican National Committee or member of a committee of the Republican National Committee, such vacancy shall be filled by the same body and in the same manner as provided herein for the election of such officer or officers or committee members in the first instance. In the case of a vacancy in the office of either secretary or treasurer of the Republican National Committee, the chairman shall appoint an acting secretary or acting treasurer until the next meeting of the Republican National Committee, when an election to fill such vacancy shall occur.

(d) In the event of the death, resignation, disqualification, or disability of any member of the Republican National Committee, the vacancy shall be filled according to adopted state Republican Party rules. If no rule exists, vacancies shall be filled by majority vote of the Republican state committee.

RULE NO. 5

Officers of the Republican National Committee

(a) The officers of the Republican National Committee shall consist of:

(1) A chairman and a co-chairman of the opposite sex who shall be elected by the members of the Republican National Committee. The chairman or co-chairman need not be a member of the Republican National Committee. Except as otherwise ordered by a majority of the members of the Republican National Committee present and voting on the matter, the chairman and the co-chairman shall be full-time, paid employees of the Republican National Committee. The chairman shall be the chief executive officer of the Republican National Committee. The chairman or co-chairman may be removed from office only by a two-thirds (2/3) vote of the entire Republican National Committee.

(2) Eight (8) vice chairmen who shall be elected at regional caucuses by the Republican National Committee members of the four (4) regions and shall be residents of and Republican National Committee members from their respective regions. The election shall take place in January of each odd-numbered year. The election of vice chairmen shall not require confirmation by the Republican National Committee. The eight (8) vice chairmen shall be composed of one (1) man and one (1) woman from each of the following four regions:

(i) The Western States Association: Alaska, American Samoa, Arizona, California, Colorado, Guam, Hawaii, Idaho, Montana, Nevada, New Mexico, Northern Mariana Islands, Oregon, Utah, Washington, and Wyoming;

(ii) The Midwestern States Association: Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota, and Wisconsin;

(iii) The Northeastern States Association: Connecticut, Delaware, the District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Puerto Rico, Rhode Island, Vermont, and the Virgin Islands; and

(iv) The Southern States Association: Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and West Virginia.

(3) A secretary, a treasurer, and such other officers as the Republican National Committee shall deem necessary, all to be elected by the Republican National Committee. Such officers need not be a member of the Republican National Committee.

(b) The chairman, co-chairman, and all other officers shall be elected in January of each odd-numbered year. All officers, except the vice chairmen, shall be nominated from the floor and shall have at least the majority vote of the Republican National Committee members in each of three (3) states in order to have their names placed in nomination. There shall be no nominating committee.

(c) The chairman shall appoint a general counsel for the Republican National Committee, who also will serve as counsel to committees and subcommittees of the Republican National Committee, and a chairman of the Republican Finance Committee, both of whom shall be confirmed by the Republican National Committee and shall serve at the will of the chairman. Neither the general counsel nor the chairman of the Republican Finance Committee need be a member of the Republican National Committee. In the event of the death, resignation, disqualification or disability of the chairman of the Republican National Committee, the general counsel for the Republican National Committee and the chairman of the Republican Finance Committee shall continue to serve in office until such time as the vacancy in the chairmanship has been filled pursuant to Rule No. 4(c) and his or her successor is appointed by the new chairman of the Republican National Committee and confirmed by the Republican National Committee.

RULE NO. 6
**Executive Committee of the Republican National
Committee**

(a) There shall be an Executive Committee of the Republican National Committee to consist of twenty-eight (28) officers and members of the Republican National Committee: the chairman, the co-chairman, the vice chairmen, the secretary, the treasurer, the general counsel, the chairman of the Republican Finance Committee, the chairman of the Standing Committee on Rules, the chairman of the Standing Budget Committee, the chairman of the Republican State Chairmen's Advisory Committee, three (3) members to be appointed by the chairman, and eight (8) additional members to consist of one (1) man and one (1) woman elected by and from each of the four (4) regional caucuses in January of each odd-numbered year. In the event of the death, resignation, disqualification, or disability of the chairman of the Republican National Committee, each member of the Executive Committee appointed by the chairman of the Republican National Committee shall continue to serve in office until such time as the vacancy in the chairmanship has been filled pursuant to Rule No. 4(c) and the member's successor is appointed by the new chairman of the Republican National Committee.

(b) The Executive Committee may exercise all the executive and administrative functions required of the Republican National Committee between meetings of the Republican National Committee, with the exception of the following:

(1) election of officers of the Republican National Committee;

(2) ratification of the election of members of the Republican National Committee;

(3) issuance of the call and designation of the time and place for holding the national convention; and

(4) filling a vacancy in the office of Republican candidate for President of the United States, or Republican candidate for Vice President of the United States.

(c) The Executive Committee shall meet on the call of the chairman and such meetings shall be held

at least twice in each year. In addition, upon written petition of at least twenty-five percent (25%) of the members of the Executive Committee, the chairman, within ten (10) days of his receipt of said petition, shall call a meeting of the Executive Committee to be held in a city to be designated by the chairman. The date of such meeting shall fall between ten (10) and twenty (20) days from the date of the call. The minutes of all Executive Committee meetings shall be made available as promptly as practicable upon approval of the Executive Committee to all members of the Republican National Committee.

(d) This committee may meet and act by telephone conference upon twenty-four (24) hours notice.

RULE NO. 7 Rules of Order

(a) The current authorized edition of *Robert's Rules of Order: Newly Revised* ("*Robert's Rules of Order*") shall govern in all meetings of the Republican National Committee and its committees insofar as they are applicable and consistent with these rules.

(b) All meetings of the Republican National Committee and all of its committees shall be open meetings, except as provided for by *Robert's Rules of Order*.

(c) A member of the Republican National Committee may give a written and witnessed proxy to an eligible and declared Republican voter of the same state, which shall be effective for one (1) meeting and may include all committees of the Republican National Committee and other meetings held in conjunction with the Republican National Committee meeting that the proxy grantor is eligible to attend. A member of a committee of the Republican National Committee may give a written and witnessed proxy to an eligible and declared Republican voter of the same state or to a member of the member's state delegation to the Republican National Committee. Proxies to attend Republican National Committee meetings shall be filed with the secretary of the Republican National Committee. Proxies to attend a committee of the Republican National Committee shall be filed with the chairman of the respective committee. For any committee of the Republican National Committee where members are elected by region, those committee

members who have been elected by their region may give a written and witnessed proxy to a member of the member's regional caucus within the Republican National Committee, with the approval of that caucus' regional vice chairmen; those members who have been appointed by the chairman may give a written and witnessed proxy to a member of the Republican National Committee, with the approval of the chairman of the Republican National Committee.

(d) No votes (except elections to office when properly ordered pursuant to the provisions of *Robert's Rules of Order*) shall be taken by secret ballot in any open meeting of the Republican National Committee or of any committee thereof.

(e) A prayer and the Pledge of Allegiance shall be conducted at the beginning of all meetings of the committees listed in these rules, including meetings of all subcommittees, immediately following the call to order by the chairman.

(f) For the purposes of these Rules, unless otherwise specified, "mail" shall be defined as mail by the U.S. Postal Service, electronic mail, or private mail delivery service.

RULE NO. 8

Meetings of the Republican National Committee

(a) The Republican National Committee shall meet at least twice in each year. A tentative agenda for each meeting shall be mailed to the membership at least ten (10) days prior to such meeting. The minutes, including all resolutions and motions, shall be mailed to all members of the Republican National Committee within thirty (30) days after the close of the meeting.

(b) The first meeting of the Republican National Committee shall take place within five (5) days after the adjournment of the national convention. Such meeting and all other meetings of the Republican National Committee shall take place upon call of the chairman or, in case of a vacancy in the chairmanship, upon call of the co-chairman or, in case of a vacancy in the chairmanship and the co-chairmanship, upon the call of the vice chairman senior in time of service as a member of the Republican National Committee; provided, however, that such call shall be issued at least ten (10) days in advance of the date of the proposed meeting, except that if one of the purposes of a meeting

of the Republican National Committee is to fill a vacancy in the office of Republican candidate for President of the United States or Republican candidate for Vice President of the United States then only five (5) days notice of the purpose, date, and place of said meeting shall be required. Upon written petition of sixteen (16) or more members of the Republican National Committee, representing no fewer than sixteen (16) states, filed jointly or severally with the chairman, requesting a meeting of the Republican National Committee, it shall be the duty of the chairman, within ten (10) days from receipt of said petition, to issue a call for a meeting of the Republican National Committee, to be held in a city to be designated by the chairman, the date of such called meeting to be not later than twenty (20) days or earlier than ten (10) days from the date of the call.

RULE NO. 9

Filling Vacancies in Nominations

(a) The Republican National Committee is hereby authorized and empowered to fill any and all vacancies which may occur by reason of death, declination, or otherwise of the Republican candidate for President of the United States or the Republican candidate for Vice President of the United States, as nominated by the national convention, or the Republican National Committee may reconvene the national convention for the purpose of filling any such vacancies.

(b) In voting under this rule, the Republican National Committee members representing any state shall be entitled to cast the same number of votes as said state was entitled to cast at the national convention.

(c) In the event that the members of the Republican National Committee from any state shall not be in agreement in the casting of votes hereunder, the votes of such state shall be divided equally, including fractional votes, among the members of the Republican National Committee present or voting by proxy.

(d) No candidate shall be chosen to fill any such vacancy except upon receiving a majority of the votes entitled to be cast in the election.

RULE NO. 10
Committees of the **Republican National Committee**

(a) There shall be the following committees:

(1) There shall be a Standing Committee on Rules of the Republican National Committee, composed of one (1) member of the Republican National Committee from each state, to review and propose recommendations with respect to *The Rules of the Republican Party*. The members of the Republican National Committee from each state shall caucus, and by majority vote, choose from their number within eight (8) months following the national convention appointees to serve on this committee. If the members of the Republican National Committee from any state do not within this period submit to the chairman of the Republican National Committee their choice to serve on the Standing Committee on Rules, the chairman of the Republican National Committee shall select, from among the members of the Republican National Committee from each such state, one (1) member to serve on the Standing Committee on Rules. The chairman of the Standing Committee on Rules, and such other officers as the Standing Committee on Rules shall deem necessary, shall be elected by the committee from among its members.

(2) There shall be a Standing Committee on Resolutions, which shall be composed of two (2) members of the Republican National Committee from each of the four (4) regions described in Rule No. 5, elected by the members of the Republican National Committee from each such region, and a chairman appointed by the chairman of the Republican National Committee from among the members of the Republican National Committee.

(i) The Standing Committee on Resolutions shall consider all resolutions submitted by any member for adoption by the Republican National Committee at least thirty (30) days before any regularly called meeting of the Republican National Committee or at least ten (10) days before a specially called meeting. This committee shall report to the Republican National Committee all adopted resolutions, with amendments where applicable, for its consideration. Resolutions that are not adopted by this committee shall be reported for informational purposes only to the Republican National Committee.

(ii) The Standing Committee on Resolutions shall report out, without amendment and for consideration by the Republican National Committee, any resolution submitted in writing and supported by at least one (1) member of the Republican National Committee from each of ten (10) states, which is dated and submitted to the chairman of the Standing Committee on Resolutions at least thirty (30) days before any regularly called meeting of the Republican National Committee or at least ten (10) days before a specially called meeting. In the event of a memorial resolution submitted in response to the passing of the person so remembered, the thirty (30) day requirement may be waived by the Standing Committee on Resolutions.

(3) The Republican National Committee shall create a Standing Budget Committee and any subcommittees thereof that it deems desirable to which it may delegate the responsibility of developing a budget and reviewing income and expenditures of the Republican National Committee. The Standing Budget Committee shall be composed of seven (7) members of the Republican National Committee, three (3) of whom shall be appointed by the chairman of the Republican National Committee to serve at the will of the chairman, and each of the four (4) regions shall elect one (1) member at its regional caucus held in January of each odd-numbered year (as provided in Rule No. 5(a)(2)) and the following shall serve as *ex-officio* members of the Standing Budget Committee: the chairman, co-chairman, and treasurer of the Republican National Committee, and the chairman of the Republican Finance Committee. The chairman of the Republican National Committee shall make every effort in such appointments to ensure that an equal number of men and women serve on the Standing Budget Committee. The chairman of the Republican National Committee shall appoint the chairman of the Standing Budget Committee from among the members thereof.

(i) The annual budget shall be approved at the first meeting of the Republican National Committee held in each year. The proposed budget, in reasonable detail, shall be mailed to all members of the Republican National Committee at least ten (10) days prior to such meeting.

(ii) In the event of the death, resignation, disqualification, or disability of the

chairman of the Republican National Committee, each member of the Standing Budget Committee appointed by the chairman of the Republican National Committee shall continue to serve in office until such time as the vacancy in the chairmanship has been filled pursuant to Rule No. 4(c) and the member's successor has been appointed by the new chairman of the Republican National Committee.

(4) There shall be a Committee on the Site of the Republican National Convention, which shall be composed of two (2) members of the Republican National Committee from each of the four (4) regions described in Rule No. 5(a)(2), elected by the members of the Republican National Committee from each such region, and a chairman appointed by the chairman of the Republican National Committee from among the members or officers of the Republican National Committee. This committee shall be responsible for investigating potential sites for the next national convention and for recommending a site to the Republican National Committee for selection. This committee shall be selected no later than two (2) years following the presidential election. Each of the four (4) regions shall elect an alternate who is a member of the Republican National Committee from such region, who shall act, in the event an elected member from the region shall be unable to act by reason of death, resignation, disability, or conflict created by submission of a bid from the member's state. No member of this committee shall represent a state from which a bid for the site of the national convention is submitted.

(5) There shall be a Committee on Arrangements to plan for and manage the next national convention. The chairman and the co-chairman of the Republican National Committee shall be members of the Committee on Arrangements and the chairman of the Republican National Committee shall appoint to the Committee on Arrangements at least one (1) member of the Republican National Committee from each state. The chairmen of the Committee on Arrangements and of its subcommittees shall be appointed by, and serve at the pleasure of, the chairman of the Republican National Committee from among the members of the Committee on Arrangements and, together with such other officers as shall be elected by the Committee on Arrangements, shall be members of the Executive Committee of the Committee on Arrangements. The chairman of the Standing Committee on Rules and the

chairman of the Committee on Contests shall also be members of the Committee on Arrangements.

(6) There shall be a Committee on the Call, composed of a chairman and at least seven (7) members of the Republican National Committee who shall be appointed by the chairman of the Republican National Committee. This committee shall assist the Republican National Committee in connection with the issuance of the call for the next national convention pursuant to Rule No. 12. This committee shall be appointed after the selection of the Standing Committee on Rules and the Committee on Arrangements.

(7) There shall be a Committee on Contests, which shall be composed of two (2) members of the Republican National Committee from each of the four (4) regions described in Rule No. 5(a)(2), elected by members of the Republican National Committee from each such region, and a chairman appointed by the chairman of the Republican National Committee from among the members or officers of the Republican National Committee. This committee shall perform the duties relating to the resolution of contests prescribed in Rule No. 23. This committee shall be elected after the selection of the Standing Committee on Rules and Committee on Arrangements.

(8) Each member of the Republican National Committee shall be a member of at least one (1) of the above-mentioned committees, unless elected to the Republican National Committee within six (6) months prior to the national convention.

(9) The draft minutes of these committees shall be made available as promptly as practicable, with the final minutes available upon approval of each respective committee to all members of the Republican National Committee. Any of these committees may meet and act by telephone conference upon twenty-four (24) hours notice.

(b) The Republican National Committee shall create a Republican Finance Committee, and any subcommittees thereof that it deems desirable, to which it may delegate the responsibility of developing and implementing a broad-based fundraising plan. The chairman of the Republican Finance Committee shall be appointed pursuant to the provisions of Rule No. 5(c).

(c) The chairman of the Republican National Committee, with the approval of the Republican National Committee, may appoint such other committees and assistants as he or she may deem necessary. Whenever such committees are appointed, they shall consist of a chairman and an equal number of men and women.

(d) There shall be a temporary committee to review the timing of the election, selection, allocation, or binding of delegate and alternate delegates pursuant to Rule No. 15(b) of these rules to the 2012 Republican National Convention. The Temporary Delegate Selection Committee shall be composed of fifteen (15) members, which shall include one (1) member of the Republican National Committee from each of the four (4) regions described in Rule No. 5, elected by the members of the Republican National Committee from each region at the 2009 Republican National Committee Winter Meeting; further, the chairman of the Republican National Committee will appoint three (3) additional members of the Republican National Committee and six (6) Republicans who are not members of the Republican National Committee. The chairman and general counsel of the Republican National Committee shall serve as *ex-officio* voting members. The chairman of the Republican National Committee shall convene the Temporary Delegate Selection Committee as soon as practicable after the 2009 Republican National Committee Winter Meeting. The Temporary Delegate Selection Committee shall make any recommendations it deems appropriate concerning additions to Rule No. 15(b) of these rules, provided that such additions shall preserve the provisions of Rule No. 15(b) adopted by the 2008 Republican National Convention, which shall be voted upon without amendment by the Republican National Committee at the 2010 Republican National Committee Summer Meeting and which shall require a two-thirds (2/3) vote to be adopted. Any action adopted would take effect sixty (60) days after passage. The Temporary Delegate Selection Committee shall disband following the 2010 Republican National Committee Summer Meeting.

RULE NO. 11
Candidate Support

(a) The Republican National Committee shall not, without the prior written and filed approval of all members of the Republican National Committee from

the state involved, contribute money or in-kind aid to any candidate for any public or party office except the nominee of the Republican Party or a candidate who is unopposed in the Republican primary after the filing deadline for that office. In those states where state law establishes a nonpartisan primary in which Republican candidates could participate, but in which the general election may not include a Republican candidate, the candidate endorsed by a convention held under the authority of the state Republican Party shall be recognized by the Republican National Committee as the Republican nominee.

(b) No state Republican Party rule or state law shall be observed that allows persons who have participated or are participating in the selection of any nominee of a party other than the Republican Party, including, but not limited to, through the use of a multi-party primary or similar type ballot, to participate in the selection of a nominee of the Republican Party for that general election. No person nominated in violation of this rule shall be recognized by the Republican National Committee as the nominee of the Republican Party from that state.

CONVENING OF THE NEXT NATIONAL CONVENTION

RULE NO. 12

Call of Next Convention

The Republican National Committee shall issue the call for the next national convention to nominate candidates for President of the United States and Vice President of the United States prior to January 1 of the year in which the national convention is to be held. The Republican National Committee shall issue and promulgate the call in a manner consistent with these rules. The call shall include the text of the rules relating to the convening and the proceedings of the national convention, in addition to the official delegate count for each state, including any penalties assessed under Rule No. 16.

RULE NO. 13

Membership in Convention

Subject to the provisions of Rule No. 16, the membership of the next national convention shall consist of:

(a) Delegates.

(1) Ten (10) delegates at large from each of the fifty (50) states.

(2) The national committeeman, the national committeewoman and the chairman of the state Republican Party of each state and American Samoa, the District of Columbia, Guam, Northern Mariana Islands, Puerto Rico, and the Virgin Islands.

(3) Three (3) district delegates for each Representative in the United States House of Representatives from each state.

(4) Six (6) delegates at large from American Samoa, sixteen (16) delegates at large from the District of Columbia, six (6) delegates at large from Guam, six (6) delegates at large from the Northern Mariana Islands, twenty (20) delegates at large from Puerto Rico, and six (6) delegates at large from the Virgin Islands; provided, however, that if Puerto Rico shall become a state prior to the next national convention, the number of delegates from Puerto Rico shall be calculated in accordance with the same formula used for the other states.

(5) From each state having cast its electoral votes, or a majority thereof, for the Republican nominee for President of the United States in the last preceding election: four and one-half (4 1/2) delegates at large plus a number of the delegates at large equal to sixty percent (60%) of the number of electoral votes of that state; provided, however, that if Puerto Rico shall become a state prior to the next national convention, it shall be presumed that it would have cast its electoral votes, or a majority thereof, for the Republican nominee in the last preceding election. (In the computation of the number of delegates at large, any sum of the four and one half (4 1/2) plus the sixty percent (60%) representing a fraction shall be increased to the next whole number.) In addition, one (1) delegate at large shall be awarded to a state for any and each of the following public officials elected by such state in the year of the last preceding presidential election or at any subsequent election held prior to January 1 of the year in which the next national convention is held:

(i) A Republican governor, provided that no such additional delegate at large awarded to any state shall exceed one (1):

(ii) Membership in the Republican Party of at least one-half (1/2) of the Representatives representing a state in the United States House of Representatives; provided that no such additional delegate at large awarded to any state shall exceed one (1):

(iii) Membership in the Republican Party of a majority of the members of any chamber of a state legislature, if such chamber has been organized, and is presided over (if the presiding officer is elected by the chamber), by Republicans; provided that no such additional delegate at large awarded to any state shall exceed one (1).

(iv) Membership in the Republican Party of a majority of all chambers of a state legislature, if all such chambers are presided over (if the presiding officer is elected by the chamber), by a Republican; provided that no such additional delegate at large awarded to any state shall exceed one (1).

(6) In addition, one (1) delegate at large shall be awarded to a state for any and each Republican United States Senator elected by such state in the six (6) year period prior to January 1 of the year in which the next national convention is held; provided that no such additional delegate at large awarded to any state shall exceed two (2).

(7) In addition, if the District of Columbia shall have cast its electoral votes, or a majority thereof, for the Republican nominee for President of the United States in the last preceding presidential election: four and one half (4 1/2) delegates at large plus the number of delegates at large equal to thirty percent (30%) of the sixteen (16) delegates at large allotted to the District of Columbia. In the computation of the number of delegates at large, any sum of the four and one half (4 1/2) plus the thirty percent (30%) representing a fraction shall be increased to the next whole number.

(b) Alternate Delegates.

One (1) alternate delegate for each delegate to the national convention, except that no alternate delegates shall be selected for Republican National Committee members.

(c) Any state Republican Party may set the date for any primary, caucus, convention, or meeting for the purpose of voting for a presidential candidate and/or electing, selecting, allocating, or binding delegates to the national convention subject to the scheduling provisions in Rule No. 15. To the extent a state Republican Party's rules are in conflict with its state's laws with respect to this rule, the provisions of this rule and the state Republican Party's rules shall control. To the extent the provisions of the rule are inconsistent with the provisions of Rule No. 15, the provisions of this rule shall be controlling for all purposes.

RULE NO. 14

Participation in the Delegate Selection Process

(a) The states, in cooperation with the Republican National Committee, shall prepare instructive material on delegate election, selection, allocation, or binding methods and make it available for distribution.

(b) Participation in a Republican primary, caucus, or any meeting or convention held for the purpose of electing, selecting, allocating, or binding delegates and alternate delegates to a county, district, state, or national convention shall in no way be abridged for reasons of sex, race, religion, color, age, or national origin. The Republican National Committee and the state Republican Party or governing committee of each state shall take positive action to achieve the broadest possible participation by men and women, young people, minority and heritage groups, senior citizens, and all other citizens in the delegate election, selection, allocation, or binding process.

(c) Unless otherwise provided by the laws of the state in which the election occurs, in those states where delegates and alternate delegates are elected through the convention system or a combination of convention and primary systems, the precinct, ward, township, or county meetings shall be open meetings and all citizens who are qualified shall be urged to participate.

(d) Each state shall endeavor to have equal representation of men and women in its delegation to the Republican National Convention.

(e) The provisions of these rules are not intended to be the basis of any kind of quota system.

RULE NO. 15

**Election, Selection, Allocation, or Binding of
Delegates and Alternate Delegates**

(a) Order of Precedence.

Delegates at large and their alternate delegates and delegates from Congressional districts and their alternate delegates to the national convention shall be elected, selected, allocated, or bound in the following manner:

(1) In accordance with any applicable Republican Party rules of a state, insofar as the same are not inconsistent with these rules: or

(2) To the extent not provided for in the applicable Republican Party rules of a state, in accordance with any applicable laws of a state, insofar as the same are not inconsistent with these rules: or

(3) By a combination of the methods set forth in paragraphs (a)(1) or (a)(2) of this rule: or

(4) To the extent not provided by state law or party rules, as set forth in paragraph (d) of this rule.

(b) Timing.* (Revised language was adopted by the Republican National Committee on August 6, 2010)

(1) No primary, caucus, or convention to elect, select, allocate, or bind delegates to the national convention shall occur prior to the first Tuesday in March in the year in which a national convention is held. Except Iowa, New Hampshire, South Carolina, and Nevada may begin their processes at any time on or after February 1 in the year in which a national convention is held and shall not be subject to the provisions of paragraph (b)(2) of this rule.

(2) Any presidential primary, caucus, convention, or other meeting held for the purpose of selecting delegates to the national convention which occurs prior to the first day of April

in the year in which the national convention is held, shall provide for the allocation of delegates on a proportional basis.

(3) If the Democratic National Committee fails to adhere to a presidential primary schedule with the dates set forth in Rule 15(b)(1) of these Rules (February 1 and first Tuesday in March), then Rule 15(b) shall revert to the Rules as adopted by the 2008 Republican National Convention.

(c) General.

In all elections or selections of delegates or alternate delegates to the national convention, the following rules shall apply:

(1) Delegates and alternate delegates to the national convention may be elected, selected, allocated, or bound only in one of the following manners:

(i) by primary election;

(ii) by the Republican state committee, where specifically provided by state law;

(iii) by state and Congressional district conventions;

(iv) by any method consistent with these rules by which delegates and alternate delegates were elected, selected, allocated, or bound to the most recent Republican National Convention from that state;

(v) by Rule No. 13 (a)(2) of these rules.

(2) Only persons eligible to vote who are deemed as a matter of public record to be Republicans pursuant to state law or, if voters are not enrolled by party, by Republican Party rules of a state, shall participate in any primary election held for the purpose of electing delegates or alternate delegates to the national convention or in any Republican caucus, mass meeting, or mass convention held for the purpose of selecting delegates to the county, district, or state conventions, and only such legal and qualified voters

shall be elected as delegates to county, district, and state conventions; provided, however, that in addition to the qualifications provided herein, the applicable Republican Party rules of a state may prescribe additional qualifications not inconsistent with law, which additional qualifications shall be adopted before October 1 in the year before the year in which the national convention is to be held and published in at least one (1) newspaper having a general circulation throughout the state, such publication to be at least ninety (90) days before such qualifications become effective.

(3) No state law shall be observed that permits any person to participate in a primary delegate and alternate delegate selection process that also permits that person at the same primary to participate in the choosing of nominees of any other party for other elective office. Delegates and alternate delegates to the national convention shall in that event be selected pursuant to state Republican Party rules that are not inconsistent with *The Rules of the Republican Party*; provided, however, that the selection process established by the state Republican Party rules shall provide that only persons eligible to vote who are deemed to be Republicans pursuant to state law or state Republican Party rules shall participate in such delegate election or selection process.

(4) In any jurisdiction in which Republican representation upon the board of judges or inspectors of elections for primary elections is denied by law, delegates and alternate delegates shall be elected as provided in paragraph (a)(1) or (a)(4) of this rule.

(5) In electing or selecting delegates and alternate delegates to the national convention, no state law shall be observed which hinders, abridges, or denies to any citizen of the United States, eligible under the Constitution of the United States to hold the office of President of the United States or Vice President of the United States, the right or privilege of being a candidate under such state law for the nomination for President of the United States or Vice President of the United States or which authorizes the election or selection of a number of delegates or alternate delegates from any state to the national convention different from that fixed in these rules.

(6) Alternate delegates shall be elected to the national convention for each unit of representation equal in number to the number of delegates elected therein and shall be chosen in the same manner and at the same time as the delegates and under the same rules; provided, however, that if the law of any state shall prescribe another method of choosing alternate delegates, they may be chosen in accordance with the provisions of the law of the state in which the election occurs, except that no alternates shall be selected for Republican National Committee members.

(7) Any process authorized or implemented by a state Republican Party for selecting delegates and alternate delegates or for binding the presidential preference of such delegates may use every means practicable, in the sole discretion of the state Republican Party, to encourage active military personnel the opportunity to exercise their right to vote.

(8) Delegates and alternate delegates at large to the national convention when serving as delegates and alternate delegates shall be residents of and duly qualified voters in their respective states. All delegates and alternate delegates allocated as delegates and alternate delegates at large shall be elected at large in the several states; provided, however, that such allocation and method of election may be varied in any state to the extent, and only to the extent, necessary to avoid conflict with state law applicable to the selection of national convention delegates if such varying allocation and method of election were those pursuant to which delegates at large and alternate delegates at large were elected to the 1988 Republican National Convention from that state.

(9) Delegates and alternate delegates to the national convention representing Congressional districts shall be residents of and qualified voters in said districts respectively when elected and when serving as delegates and alternate delegates. There shall be three (3) delegates and three (3) alternate delegates allocated to represent each Congressional district of the several states, who shall be elected by each such Congressional district; provided, however, that such number of delegates and alternate delegates allocated to represent, and elected by, any Congressional district of a state may be reduced or increased to the extent, and only to the extent, necessary to avoid conflict with state law applicable to the selection of national convention delegates if such

varying allocation was that pursuant to which district delegates and alternate district delegates were elected to the 1988 Republican National Convention from the state.

(10) No delegate or alternate delegate, or candidate for delegate or alternate delegate, to the national convention shall be required to pay an assessment or fee in excess of that provided by the law of the state in which his or her election or selection occurs as a condition of standing for election or serving as a delegate or alternate delegate to the national convention.

(11) There shall be no automatic delegates to the national convention who serve by virtue of party position or elective office, except as provided for in Rule No. 13 (a)(2).

(12) No delegates or alternate delegates shall be elected, selected, allocated, or bound pursuant to any Republican Party rule of a state or state law which materially changes the manner of electing, selecting, allocating, or binding delegates or alternate delegates or the date upon which such state Republican Party holds a presidential primary, caucus, convention, or meeting for the purpose of voting for a presidential candidate and/or electing, selecting, allocating, or binding delegates to the national convention if such changes were adopted or made effective after October 1 of the year before the year in which the national convention is to be held. Where it is not possible for a state Republican Party to certify the manner and the date upon which it holds a presidential primary, caucus, convention, or meeting for the purpose of voting for a presidential candidate and/or electing, selecting, allocating, or binding delegates to the national convention in effect in that state on the date and in the manner provided in paragraph (e) of this rule, the process for holding the presidential primary, caucus, convention, or meeting for the purpose of voting for a presidential candidate and/or electing, selecting, allocating, or binding delegates to the national convention shall be conducted in the same manner and held upon the same date as was used for the immediately preceding national convention. If it is not possible to hold a presidential primary, caucus, convention, or meeting for the purpose of voting for a presidential candidate and/or electing, selecting, allocating, or binding delegates to the national convention upon the same date as was used for the

immediately preceding national convention, then delegates or alternate delegates shall be elected or selected by Congressional district or state conventions pursuant to paragraph (d) of this rule.

(d) Conventions.

Wherever state law permits or the Republican Party rules of a state require the election of delegates and alternate delegates by convention or there is no applicable state law or Republican Party rule, delegates and alternate delegates to the national convention shall be elected by Congressional district or state conventions pursuant to the following rules:

(1) Congressional district or state conventions shall be called by the Republican state committee.

(2) Delegates to Congressional district conventions may be elected in precinct caucuses, mass meetings, mass conventions, or county conventions in which only eligible voters in such precinct, county, or district, as the case may be, shall vote.

(3) Notices of the call for any such caucus, meeting, or convention shall be published in a newspaper or newspapers of general circulation in the county, district, or state, as the case may be, not less than fifteen (15) days prior to the date of such caucus, meeting, or convention.

(4) No delegates shall be deemed eligible to participate in any Congressional district or state convention the purpose of which is to elect or select delegates to the national convention who are elected or selected prior to the date of the issuance of the call of such national convention.

(5) Congressional district conventions shall be composed of delegates who are persons eligible to vote and who are deemed to be Republicans pursuant to state law or party rules. State conventions shall be composed of delegates who are persons eligible to vote and who are deemed to be Republicans pursuant to state law or party rules in the respective districts which they represent in said state conventions. Such delegates shall be apportioned by the state Republican Party among counties, parishes, and

cities of the state or district having regard to the Republican vote or the population therein.

(6) There shall be no proxies at any district or state convention (which shall not include meetings of a Republican state committee) held for the purpose of electing or selecting delegates to the national convention. If alternate delegates to such selection convention are elected or selected, the alternate delegate and no other shall vote in the absence of the delegate.

(e) Certification and filing by state committees.

(1) On or before October 1 of the year before the year in which the national convention is to be held, each Republican state committee shall adopt rules, procedures, policies, and instructive materials (prepared pursuant to Rule No. 14(a)) governing the election, selection, allocation, or binding of delegates and alternate delegates to the national convention to convene during the following year and shall certify and file with the secretary of the Republican National Committee true copies of the same and of all statutes governing the election, selection, allocation, or binding of such delegates and alternate delegates.

(2) The Republican National Committee may grant a waiver to a state Republican Party from certain provisions of this rule where it is not possible for a state Republican Party to comply with the October 1 deadline delineated in paragraph (e)(1) of this rule and not possible for a state Republican Party to hold its presidential primary, caucus, convention, or meeting for the purpose of voting for a presidential candidate and/or electing, selecting, allocating, or binding delegates to the national convention as was used for the immediately preceding national convention or to elect, select, allocate, or bind delegates or alternate delegates by Congressional district or state conventions pursuant to paragraph (d) of this rule, and the Republican National Committee determines that granting such waiver is in the best interests of the Republican Party.

RULE NO. 16 **Enforcement of Rules**

(a) If any state or state Republican Party violates *The Rules of the Republican Party* relating to

the timing of the election or selection process with the result that any delegate from that state to the national convention is bound by statute or rule to vote for a presidential nominee selected or determined before the first day of the month in which that state is authorized by Rule No. 15(b) to vote for a presidential candidate and/or elect, select, allocate, or bind delegates or alternate delegates to the national convention, the number of delegates to the national convention from that state shall be reduced by fifty percent (50%), and the corresponding alternate delegates also shall be reduced by the same percentage. Any sum presenting a fraction shall be increased to the next whole number. No delegation shall be reduced to less than two (2) delegates and a corresponding number of alternates.

(b) If a violation has occurred before the issuance of the call to the national convention, the chairman of the Republican National Committee shall notify the offending state of the violation and shall inform the state of the number of delegates and alternate delegates it will lose. This reduced number of delegates and alternate delegates will be reflected in the call to the national convention, and will be reported to the secretary of state or responsible election official of the offending state and to the chairman of every state Republican Party. Said reduced number will be the only number recognized as the official delegation of the state to the national convention.

(c) If a violation has occurred after the issuance of the call to the national convention, the chairman of the Republican National Committee shall notify the state of the violation and shall inform the state of the number of delegates and alternate delegates it will lose. This reduced number of delegates and alternate delegates will be reported to the secretary of state or responsible election official of the offending state and to the chairman of every state Republican Party, and such reduced number will be the only number recognized as the official delegation of the state to the national convention.

(d) If the chairman of the Republican National Committee does not act upon a violation of *The Rules of the Republican Party* relating to the election, selection, allocation, and/or binding of delegates or alternate delegates to the national convention, then a statement may be filed against a state or state Republican Party by any three (3) members of the Republican National Committee

Standing Committee on Rules who feel that a violation has occurred.

(1) A statement filed against a state or state Republican Party by any three (3) members of the Standing Committee on Rules shall be written and shall specify the reasons why the members believe the state or state Republican Party is in violation. The statement shall be signed and dated by each Rules member filing the statement, and shall be filed with the secretary of the Republican National Committee. The secretary of the Republican National Committee shall, within twenty (20) days of receipt, distribute such statement to all members of the Republican National Committee.

(2) The Standing Committee on Rules shall meet upon the call of the chairman of the Rules Committee and shall vote upon whether a state or state Republican Party is in violation. If by majority vote the Standing Committee on Rules finds a violation, then such state or state Republican Party shall suffer the penalties described in paragraph (a) of this rule.

(e) If a state or state Republican Party is determined to be in violation:

(1) No member of the Republican National Committee from the offending state shall be permitted to serve as a delegate or alternate delegate to the national convention.

(2) After the Republican National Committee members are excluded from being part of the offending state's delegation to the national convention, the state Republican Party shall determine which of the state's remaining delegates (and corresponding alternate delegates) are entitled to serve as part of the state's reduced delegation to the national convention.

(3) In addition to the penalties provided for in paragraphs (e)(1) and (2) of this rule, the Standing Committee on Rules may impose additional sanctions relating to the offending state's hotel location at the national convention, guest privileges and VIP passes at the national convention, and seating location in the national convention hall.

(f) A state or state Republican Party shall have no appeal from either a finding of a violation against it or a penalty imposed upon it under this rule.

RULE NO. 17

Vacancies in a State Delegation

(a) Where the rules adopted by a state Republican Party provide a method for filling vacancies in its national convention delegation, they shall be filled pursuant to such method.

(b) Where the rules adopted by a state Republican Party do not provide a method for filling vacancies in its national convention delegation, and where the state laws do provide such a method of replacement, they shall be filled pursuant to such method provided by state laws.

(c) Where neither the rules adopted by a state Republican Party nor state laws provide a method for filling vacancies in its national convention delegation, the state Republican Party should make every effort to elect those individuals filling the vacancies in the delegation in the same manner as the delegates were originally elected or selected, or by vote of the state Republican Party executive committee or if the state executive committee has not filled the vacancy by ten (10) days prior to the convention, by vote of the state delegation. This section shall not apply to the delegates allocated to the state in Rule No. 13(a)(2).

RULE NO. 18

Excess Delegates and Alternate Delegates

(a) No state shall elect or select a greater number of persons to act as delegates and alternate delegates than the actual number of delegates and alternate delegates, respectively, to which it is entitled under the call for the national convention, including any Rule No. 16 penalties. No unit of representation may elect or select any delegate or alternate delegate with permission to cast a fractional vote.

(b) Where more than the authorized number of delegates from any state is certified and forwarded to the secretary of the Republican National Committee in the manner provided in Rule No. 19, a contest shall be deemed to exist and the secretary shall notify the several claimants so reported and shall submit all such credentials and claims to the whole Republican

National Committee for decision as to which claimants reported shall be placed upon the temporary roll of the national convention.

RULE NO. 19

Certification of Election or Selection of Delegates

(a) All delegates and alternate delegates shall be elected or selected not later than thirty-five (35) days before the date of the meeting of the national convention.

(b) Subject to the provisions of Rule No. 16, delegates and alternate delegates shall be certified:

(1) In every case where they are elected by convention, by the chairman and secretary of such convention or by the chairman and secretary of the Republican state committee, and forwarded to the secretary of the Republican National Committee;

(2) In every case where they are elected by primary, by the canvassing board or officer created or designated by the law of the state in which the election occurs, to canvass the returns and issue certificates of election to delegates or alternate delegates to national conventions of political parties, and all certificates shall be forwarded by said duly elected delegates and alternate delegates in the manner herein provided; and,

(3) In every case where they are elected or selected by the Republican state committee, by the chairman and secretary of the Republican state committee, and forwarded to the secretary of the Republican National Committee.

(c) No later than thirty (30) days before the time set for the meeting of the national convention, the credentials of each delegate and alternate delegate shall be filed with the secretary of the Republican National Committee for use by the secretary in making up the temporary roll of the national convention, except in the case of delegates or alternate delegates elected at a time or times in accordance with the laws of the state in which the election occurs rendering impossible the filing of credentials within the time above specified.

RULE NO. 20
Contests: Resolution by States

All contests arising in any state electing district delegates by district conventions shall be decided by its state convention or, if the state convention shall not meet prior to the national convention, then by its state committee. Only contests affecting delegates elected or selected at large shall be presented to the Republican National Committee: provided, however, if the contest regarding a district delegate arises out of the irregular or unlawful action of the state committee or state convention, the Republican National Committee may take jurisdiction thereof and hear and determine the same under the procedures provided in Rule Nos. 22 and 23.

RULE NO. 21
**Temporary Roll of the Republican National
Convention**

(a) The names of the delegates and alternate delegates presenting certificates of election from the officials designated in Rule No. 19 shall be placed upon the temporary roll of the national convention by the Republican National Committee.

(b) No person on the temporary roll of the national convention and whose right to be seated as a delegate or alternate delegate is being contested shall be entitled to vote in the national convention or in any committee thereof until by vote of the national convention the contest as to such person has been finally decided and such person has been permanently seated, except that any such person may be accorded the right to so vote, except in matters involving the credentials of that person, by an affirmative vote of a majority of the members of the Republican National Committee or the Committee on Credentials.

RULE NO. 22
Contest Filing

(a) Notices of contests shall state the grounds of the contest and shall be filed, no later than thirty (30) days before the time set for the meeting of the national convention, with the secretary of the Republican National Committee and shall be sent, simultaneously, by registered mail to the person or persons being contested, except in the case of delegates or alternate delegates elected at a time or times in accordance with

applicable state law rendering impossible the filing of the notice of contest within the time above specified.

(b) Notices of contests may be filed only by a resident of the state whose delegation is challenged who

was eligible to participate at any level in the delegate selection process of that state.

(c) Only contests that are timely filed under these rules shall be considered.

(d) For purposes of the rules relating to contests and credentials, the term "party" shall mean a person or persons who shall have filed a notice of contest pursuant to this Rule No. 22, and the person or persons whose right to be seated as a delegate or alternate delegate is the subject of such notice of contest.

RULE NO. 23 Contest Procedure

(a) The Committee on Contests shall have the power to adopt procedural rules, not inconsistent with these rules, which shall govern the expeditious resolution of contests before the Committee on Contests. When any deadline set out in this rule falls on a Sunday or legal holiday, such deadline shall be extended to the following day.

(b) No later than twenty-two (22) days before the convening of the national convention (or, in the case of delegates or alternate delegates elected at a time or times in accordance with applicable state law rendering impossible compliance with this requirement, within five (5) days after such election), each of the parties shall file with the secretary of the Republican National Committee at least three (3) printed or typewritten copies of the statement of position in support of the party's claim to sit as delegates or alternate delegates to the national convention together with such affidavits or other evidence as desired. The secretary of the Republican National Committee, upon receiving the statement of position of a party, shall furnish the opposing party a copy of said statement of position. Each statement of position shall begin with a summary of not more than one thousand (1,000) words setting forth succinctly a synopsis of the statement of position and a specific statement of the points relied upon.

(c) The Committee on Contests shall promptly hear the matter; decide which issues are involved, either of law or fact, or both; decide upon its recommendation for resolution of such issues; and submit such issues and its recommendations for resolution to the Republican National Committee. The issues so submitted by the Committee on Contests shall be the sole issues passed upon and determined by the Republican National Committee unless the Republican National Committee shall, by a majority vote, extend or change the same. If the Committee on Contests for any reason shall fail to state the issues either of law or fact, the Republican National Committee shall decide upon what issues the contest shall be tried, and the hearing shall be limited to such issues unless the Republican National Committee, by a majority vote, shall decide otherwise.

(d) The Committee on Contests shall make up a report of each contest filed, showing the grounds of contest; the statute and rule, if any, under which the contest is waged; and the contentions of each party thereto. The report shall conclude with a statement of the points of issue in the contest, both of fact and law, and a statement of the recommendation of the Committee on Contests as to resolution of such points of issue, and shall be signed by the chairman or his designee. When the Committee on Contests has prepared such report stating the issues of law and fact, a copy of the statement of such issues shall be submitted forthwith to a person in the convention city, whom the parties must appoint at the time of filing the contest to receive such statement, and a copy shall be served forthwith by the chairman of the Committee on Contests upon the parties by the most expeditious method available, providing for written evidence of receipt including, but not limited to, overnight delivery service.

(e) The parties shall have eight (8) days to file written objections to the Committee on Contests' statement of the issues of fact or law, or both, unless the Republican National Committee is called to act upon the contest sooner, in which case such objections shall be made before the meeting of the whole committee. The objections shall contain any additional statement of issues of either law or fact, or both, claimed by the party submitting the same to be involved in and necessary to be decided in the contest.

(f) When the Republican National Committee is called to pass upon any contest that may arise, the members of the Convention Committee on Credentials shall also be notified of the time and place of such meeting and shall have the right to attend all hearings of all contests but without the right to participate in the discussion or the vote.

RULE NO. 24

Convention Committee on Credentials

(a) When the national convention shall have assembled, the secretary of the Republican National Committee shall deliver to the Convention Committee on Credentials all credentials and other papers forwarded under Rule No. 19(c).

(b) An appeal may be taken to the Convention Committee on Credentials from any ruling of the Republican National Committee on any contest, by and only by a party to such contest in the proceedings conducted pursuant to Rule Nos. 22 and 23; provided, however, that notice of such appeal must be filed with the secretary of the Republican National Committee within one (1) hour prior to the convening of the Convention Committee on Credentials. This notice shall specify the grounds upon which the appeal is taken. Only the grounds so specified shall be heard by the Convention Committee on Credentials upon such appeal. No evidence other than that taken before the Republican National Committee shall be taken up by the Convention Committee on Credentials unless it shall, by a majority vote of its members present and voting, so direct.

(c) No issue involving the status of one or more delegates or alternate delegates or any contest relating thereto may originate before the Convention Committee on Credentials of the national convention. All contests must first be presented to the Committee on Contests of the Republican National Committee or to the whole Republican National Committee in the manner provided in Rule No. 18(b).

(d) No motion with respect to delegates or alternate delegates from more than one (1) state or territory shall be in order before the Committee on Credentials.

PROCEEDINGS OF NATIONAL CONVENTION
Temporary Rules

RULE NO. 25
Order of Business

The convention shall proceed in the order of business prepared and printed by the Republican National Committee.

RULE NO. 26
Committee Reports

(a) The report of the Committee on Credentials shall be disposed of before the report of the Convention Committee on Rules and Order of Business is acted upon; the report of the Convention Committee on Rules and Order of Business shall be disposed of before the report of the Convention Committee on Resolutions is acted upon; and the report of the Convention Committee on Resolutions shall be disposed of before the convention proceeds to the nomination of candidates for President of the United States and Vice President of the United States. The report of the Convention Committee on Permanent Organization shall be disposed of at any time after the disposition of the report of the Convention Committee on Credentials, but before the nomination of candidates, based upon the Order of Business as prepared by the Republican National Committee.

(b) The report of any such committee listed in Rule No. 26(a) shall be considered as read if made available to the delegates prior to its consideration.

RULE NO. 27
Definition of "States"

Whenever used in Rule Nos. 25 - 41, "state" or "states" shall be taken to include American Samoa, the District of Columbia, Guam, Northern Mariana Islands, Puerto Rico, and the Virgin Islands, except in Rule No. 13 and unless the context in which the word "state" or "states" is used makes such inclusion inappropriate.

RULE NO. 28
Admission to Convention Hall

(a) No person except members of the several delegations, officers of the convention, members of the Republican National Committee and incumbent Republican governors, incumbent Republican United States Senators, and incumbent Republican members of the United States House of Representatives, shall be admitted to the section of the convention hall restricted to delegates.

(b) Press and staff shall be admitted to the section(s) of the hall authorized for them.

(c) The chairman of the Republican National Committee shall insure that guest passes to the convention are distributed in an equitable fashion. Each delegate and alternate delegate to the convention shall receive at least one guest pass to each session of the convention.

(d) Each state, through its Republican National Committee members, shall be allocated full sets of additional guest passes equal to thirty-three percent (33%) of the total number of delegate and alternate delegate membership for that state, rounded to the next whole number.

RULE NO. 29
Voting

(a) Each delegate to the convention shall be entitled to one (1) vote, which may be cast by an alternate delegate in the absence of the delegate, and an individual holding more than one (1) of the following positions: national committeeman; national committeewoman; or state chairman of any state, shall not be entitled to more than one (1) delegate seat and shall not be entitled to more than one (1) vote.

(b) In the absence of any delegate at large or any delegate from any Congressional district, the roll of alternate delegates for the state or district shall be called in the order in which the names are placed upon the roll of the convention, unless directed otherwise in the delegation's certification. The Republican National Committee's form for delegate certification shall provide a means for the state to designate the alternate voting order to be followed.

RULE NO. 30
Rules of Order

The Rules of the House of Representatives of the United States shall be the rules of the convention, except that the current authorized edition of *Robert's Rules of Order: Newly Revised* ("*Robert's Rules of Order*"), shall be the rules for committees and subcommittees of the convention, insofar as they are applicable and not inconsistent with the rules herein set forth: provided, however, that the convention may adopt its own rules concerning the reading of committee reports and resolutions.

RULE NO. 31
Length of Debate

No delegate shall speak more than once or longer than five (5) minutes upon the same question, unless by leave of the convention, except in the presentation of the name of a candidate for nomination for President of the United States or Vice President of the United States.

RULE NO. 32
Suspension of Rules

A motion to suspend the rules shall always be in order, but only when made by authority of a majority of the delegates from any state and seconded by a majority of the delegates from each of five (5) or more other states severally.

RULE NO. 33
Platform Resolutions

All proposed resolutions relating to the platform shall be submitted in writing to the Committee on Resolutions without reading and without debate.

RULE NO. 34
Minority Reports; Amendments

(a) No resolution or amendment pertaining to the report of the Committee on Resolutions or the Committee on Rules and Order of Business shall be reported out or made a part of any report of such committee or otherwise read or debated before the convention, unless the same shall have been submitted

to the chairman, vice chairman, or secretary of such committee or to the secretary of the convention in writing not later than one hour after the time at which such committee votes on its report to the convention and shall have been accompanied by a petition evidencing the affirmative written support of a minimum of twenty-five percent (25%) of the membership of such committee.

(b) No amendment pertaining to the report of the Convention Committee on Credentials affecting delegates or alternate delegates from more than one (1) state shall be in order.

RULE NO. 35
Motion to Table

It shall be in order to lay on the table a proposed amendment to a pending measure and such motion, if adopted, shall not carry with it or prejudice such original measure.

RULE NO. 36
Previous Question

When the previous question shall be demanded by a majority of the delegates from any state, and the demand is likewise seconded by a majority of delegates from each of two (2) or more other states severally, the call is sustained by a majority vote of the delegates to the convention.

RULE NO. 37
Roll Call

(a) Upon all subjects before the convention requiring a roll call, the states shall be called in alphabetical order.

(b) In the balloting, the vote of each state shall be announced by the chairman of such state's delegation, or his or her designee; and in case the vote of any state shall be divided, the chairman shall announce the number of votes for each candidate, or for or against any proposition; but if exception is taken by any delegate from that state to the correctness of such announcement by the chairman of that delegation, the chairman of the convention shall direct the roll of members of such delegation to be called, and the result

shall be recorded in accordance with the vote of the several delegates in such delegation.

(c) In balloting, if any delegation shall pass when its name is called, then at the conclusion of the roll call all delegations which passed shall be called in the order herein before established. No delegation shall be allowed to change its vote until all delegations which passed shall have been given a second opportunity to vote.

(d) Except in a roll call for nomination for President of the United States and Vice President of the United States, or where the majority of delegates of fifteen (15) or more states severally have requested that a roll call be conducted by voice call of the roll, the chairman of the convention may order that the balloting on any subject placed before the convention requiring a roll call be conducted by electronic, telephonic, or computer device which will display votes to the convention simultaneously. Each delegation chairman shall record and tally any such votes of the delegation on official roll call tally sheets provided by the secretary of the convention, showing the individual vote of the delegates, and file such tally sheets with the secretary of the convention not more than thirty (30) minutes after the completion of the roll call vote.

(e) If the Republican National Committee determines that the national convention cannot convene or is unable to conduct its business either within the convention site or within the convention city, then and only then, the roll call for nomination for President of the United States and Vice President of the United States shall be allowed to be conducted according to procedures authorized by the Republican National Committee.

RULE NO. 38

Unit Rule

No delegate or alternate delegate shall be bound by any attempt of any state or Congressional district to impose the unit rule.

RULE NO. 39

Record Vote

If a majority of the delegates of any six (6) states severally shall demand a roll call vote, the same shall be taken of the states in the order hereinbefore established.

RULE NO. 40

Nominations

(a) In making the nominations for President of the United States and Vice President of the United States and voting thereon, the roll of the states shall be called separately in each case; provided, however, that if there is only one candidate for nomination for Vice President of the United States who has demonstrated the support required by paragraph (b) of this rule, a motion to nominate for such office by acclamation shall be in order and no calling of the roll with respect to such office shall be required.

(b) Each candidate for nomination for President of the United States and Vice President of the United States shall demonstrate the support of a plurality of the delegates from each of five (5) or more states, severally, prior to the presentation of the name of that candidate for nomination.

(c) The total time of the nominating speech and seconding speeches for any candidate for nomination for President of the United States or Vice President of the United States shall not exceed fifteen (15) minutes.

(d) When at the close of a roll call any candidate for nomination for President of the United States or Vice President of the United States has received a majority of the votes entitled to be cast in the convention, the chairman of the convention shall declare that the candidate has been nominated.

(e) If no candidate shall have received such majority, the chairman of the convention shall direct the roll of the states be called again and shall repeat the calling of the roll until a candidate shall have received a majority of the votes entitled to be cast in the convention.

RULE NO. 41
Convention Committees

(a) There shall be four (4) convention committees, the Committees on Resolutions, Credentials, Rules and Order of Business, and Permanent Organization of the convention, each of which shall have a chairman and a co-chairman appointed by the chairman of the Republican National Committee, who shall declare each of the committees constituted when notice of election of at least fifty percent (50%) of its members has been filed in accordance with the following sentence. The delegates elected or selected to the convention from each state, promptly once all such delegates are elected or selected, shall elect from the delegation a delegation chairman and their members of the Committees on Resolutions, Credentials, Rules and Order of Business, and Permanent Organization of the convention, consisting of one (1) man and one (1) woman for each committee, and shall file notice of such election with the secretary of the Republican National Committee under Rule No. 19(c); provided, however, that no delegate may serve on more than one (1) committee of the convention. Alternate delegates may not serve as delegation chairmen or as members of the convention committees, except when the number of delegates able to serve on convention committees is less than the number of committee positions to be filled, then an alternate delegate can serve, except that no alternate delegate may serve on more than one committee.

(b) Committees and subcommittees may set time limits for speaking on any question by a simple majority vote; provided, however, that not less than twenty (20) minutes, equally divided between proponents and opponents on any question, shall be allowed in any case on any debatable motion, order, or appeal.

(c) Upon request of twenty percent (20%) of the members of a committee or subcommittee of the convention, a vote shall be recorded in the manner provided by these rules, and no votes in the committees or subcommittees of the convention shall be taken by secret ballot.

(d) No later than twenty-five (25) days prior to the national convention, members of the Committee on Rules and Order of Business and members of the Republican National Committee shall be provided a

copy of the existing *The Rules of the Republican Party* along with all recommended changes to those rules approved as of that date by the Standing Committee on Rules since the previous national convention. Any changes shall be prominently noted. A letter shall be attached to the document stating that all proposed rules are still subject to change prior to the meeting of the Committee on Rules and Order of Business. After this information is provided, any additional recommendations regarding changes in *The Rules of the Republican Party* approved by the Republican National Committee shall be provided to the members of the Committee on Rules and Order of Business as soon as practicable.

(e) No later than twenty-five (25) days prior to the National Convention, all members of each of the various convention committees shall be provided the most current listing of their fellow committee members, with complete contact information.

RULE NO. 42 **Temporary Rules**

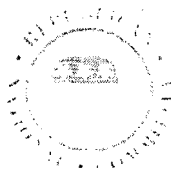
Rule Nos. 25 through No. 42 shall be the temporary rules of the next national convention and its committees and subcommittees.

*Original Rule No. 15(b) Language Adopted by 2008 Republican National Convention:

No primary, caucus, or convention to elect, select, allocate, or bind delegates to the national convention shall occur prior to the first Tuesday in February in the year in which a national convention is held. Except New Hampshire and South Carolina may begin their processes at any time on or after the third Tuesday in January in the year in which a national convention is held.

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Republican
National
Committee

MEMORANDUM

TO: Interested Parties

FROM: Members of the Republican National Committee

DATE: August 9, 2010

RE: Revised Rule No. 15(b) As Amended by the Temporary Delegate Selection Committee Proposal

On Friday, August 6, 2010, the Republican National Committee ("RNC") approved the Temporary Delegate Selection Committee's proposed amendment to Rule No. 15(b) amending the timing of the 2012 presidential nominating process. These changes to the presidential nominating schedule were considered under the RNC's authority according to Rule No. 10(d) of *The Rules of the Republican Party*.

Republican National Committee Chairman Michael Steele praised the adoption of the new amendment. "The decision by more than two-thirds of the Committee will put our presidential nominating process on the right track and ensure that we emerge from the primaries with the strongest Republican nominee possible to defeat Barack Obama," said Chairman Steele.

Revised Rule No. 15(b) as Amended by the Republican National Committee

Rule No. 15: Election, Selection, Allocation, or Binding of Delegates and Alternate Delegates

(b) Timing.

- (1) No primary, caucus, or convention to elect, select, allocate, or bind delegates to the national convention shall occur prior to the first Tuesday in March in the year in which a national convention is held. Except Iowa, New Hampshire, South Carolina, and Nevada may begin their processes at any time on or after February 1 in the year in which a national convention is held and shall not be subject to the provisions of paragraph (b)(2) of this rule.
- (2) Any presidential primary, caucus, convention, or other meeting held for the purpose of selecting delegates to the national convention which occurs prior to the first day of April in the year in which the national convention is held, shall provide for the allocation of delegates on a proportional basis.
- (3) If the Democratic National Committee fails to adhere to a presidential primary schedule with the dates set forth in Rule 15(b)(1) of these *Rules* (February 1 and first Tuesday in March), then Rule 15(b) shall revert to the *Rules* as adopted by the 2008 Republican National Convention.